GOVERNMENT OF INDIA
INFORMATION AND BROADCASTING
LOK SABHA

UNSTARRED QUESTION NO:4487
ANSWERED ON:12.08.2016
Certification of Films
Agrawal Shri Rajendra;Arunmozhithevan Shri A.;Patil Shri A.T. (Nana);Rao (Avnthi) Shri Muthamsetti Srinivasa;Sreeramulu Shri B.;Tanwar Shri Kanwar Singh

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether the Government has received the report of Expert Committee headed by Shri Shyam Benegal to revamp the Central Board of Film Certification(CBFC) to bring transparency and make it controversy free;

(b) if so, the details and major recommendations thereof and progress made so far thereon by the Government in this regard;

(c) whether the Government has taken any steps regarding the modification of guidelines under the Section 5 B of the Cinematograph Act, 1952, if so, the details thereof;

(d) whether CBFC has power to make any cut in films, if so, the details thereof including guidelines in this regard; and

(e) whether the Government has received demand for categorizing the films with scenes of smoking under adult category, if so, the details thereof and action taken by the Government thereon?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING [COL RAJYAVARDHAN RATHORE (Retd.)]

(a) & (b): The Committee of Experts constituted under the Chairmanship of Shri Shyam Benegal to recommend broad guidelines /procedures to set principles which shall guide the Board with respect to certification of films submitted first part of its report in April, 2016 and final part in June, 2016. The following are some of the major recommendations in the report:-
i. Central Board of Film Certification (CBFC) not to order excisions, modifications or amendments. The scope of certification process to be limited only to suggest what category of audiences [age groups] can watch a particular film.
ii. Guidelines to be revised for each category of certification in order to empower viewers to make informed viewing choices by specifying the category.
iii. New categories of certification other than 'U', 'A' or 'UA' are proposed.
iv. Films violating the provisions of Section 5B(1) of the Cinematograph Act, i.e. film depicting scenes against the interests of the sovereignty and integrity of India, security of the State, friendly relation with foreign States, public order, decency or morality, defamation or contempt of court etc. to be refused certification.
v. CBFC Chairperson & Board Members to play a role in guiding the Board at apex level than participating in routine certification process.
vi. Number of members in the Board should be reduced.
vii. Role envisaged for NCW/NCPCR/film professionals in making nominations to Examining Panels.
viii. The Advisory Panel for Revising Committees to be selected from amongst persons of in depth understanding of Indian society, i.e. sociologists, anthropologists or psychologists or persons of eminence. To have 20% representation from film industry at each region.
ix. Out of turn (Tatkal Scheme) film certification.

x. Re-examination of the films by the CBFC on complaints received after certification in certain cases for violation of provisions of Section 5B (1) of the Act.
xi. Film Industry should produce small films on anti-tobacco/smoking with popular actor on their own for screening in cinemas halls and on TV channels. These may replace the present films in the Theatres and TV channels shown after obtaining clearance from the Ministry of Health & Family Welfare.
The recommendations of the Committee require detailed scrutiny by the Government.

(c): The Government periodically reviews the certification process of films with a view to meet the present day challenges. Committee of Experts has submitted a draft guidelines alongwith its report.

(d): CBFC certifies films in accordance with the Cinematograph Act,1952, Cinematograph (Certification) Rules, 1983 and guidelines framed under Section 5 B of the Act and issues certificates under categories 'U','UA','A' or 'S'. As per Section 4 of the Cinematograph Act, CBFC after examining or having the film examined in the prescribed manner, can direct the applicant to carry out such excisions or modifications in the film as it thinks necessary before sanctioning the film for public exhibition under any of the above requested categories.

(e): Government has not received any demand for categorizing films with scenes of smoking under 'Adult Category'.
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